

JEROME C. ROTH (State Bar No. 184950)
Jerome.roth@mto.com

HOJOON HWANG (State Bar No. 184950)
Hojoon.hwang@mto.com

MIRIAM KIM (State Bar No. 184950)
Miriam.kim@mto.com

MUNGER, TOLLES & OLSON LLP
560 Mission Street
Twenty-Seventh Floor
San Francisco, California 94105-2907
Telephone: (415) 512-4000
Facsimile: (415) 512-4077

WILLIAM D. TEMKO (State Bar No. 98858)

William.temko@mto.com
MUNGER, TOLLES & OLSON LLP

355 S. Grand Avenue
Thirty-Fifth Floor
Los Angeles, California 90071-1560
Telephone: (213) 683-9100
Facsimile: (213) 687-3702

*Attorneys for Defendants LG Electronics, Inc.,
LG Electronics U.S.A., Inc.*

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

IN RE: CATHODE RAY TUBE (CRT)
ANTITRUST LITIGATION

Master File No. 3:07-cv-05944-SC

MDL No. 1917

This Document Related to:

DIRECT PURCHASER ACTIONS

**DECLARATION OF CLAIRE YAN IN
SUPPORT OF LG AND MITSUBISHI
DEFENDANTS' ADMINISTRATIVE
MOTION TO SEAL IN SUPPORT OF
DEFENDANTS' JOINT MOTIONS FOR
SUMMARY JUDGMENT**

[Administrative Motion to Seal and [Proposed]
Order filed concurrently herewith]

Judge: Hon. Samuel Conti

Date: February 6, 2015

Time: 10:00 a.m.

Crtrm.: 1, 17th Floor

1 I, Claire Yan, declare:

2 1. I am an attorney with the law firm Munger, Tolles & Olson LLP, counsel of record
3 for Defendants LG Electronics, Inc., LG Electronics U.S.A., Inc., and LG Electronics Taiwan
4 Taipei Co., Ltd. (collectively, "LGE") in the above entitled action. I am licensed in the State of
5 California and admitted to practice before this Court. I make this declaration based on my
6 personal knowledge and, if called upon as a witness, could and would testify competently as to the
7 matters set forth below.

8 2. Pursuant to Civil Local Rule 7-11 and 79-5, I make this declaration in support of
9 the LGE Defendants' Administrative Motion to Seal.

10 3. Defendants seek permission to file under seal the highlighted portions of the sealed
11 version of:

12 (a) Defendants' Joint Notice of Motion and Motion for Partial Summary
13 Judgment Against Dell and Sharp Plaintiffs on Statute of Limitations Grounds and Memorandum
14 of Points and Authorities in Support Thereof;

15 (b) Defendants LG and Mitsubishi Electronic Subsidiaries' Notice of Motion
16 and Motion for Summary Judgment and Memorandum of Points and Authorities in Support
17 Thereof;

18 (c) Defendants' Joint Notice of Motion and Motion for Partial Summary
19 Judgment Against Certain Direct Action Plaintiffs on State Law Claims Limited to Intrastate
20 Activity and Memorandum of Points and Authorities in Support Thereof;

21 (d) Defendants' Joint Notice of Motion and Motion for Partial Summary
22 Judgment Against Certain Direct Action Plaintiffs on Due Process Grounds and Memorandum of
23 Points and Authorities in Support Thereof.

24 4. The portions the documents referenced in Paragraph 3 contain discussion, analysis,
25 references to, or information taken directly from, material designated by a Plaintiff or Plaintiffs in
26 this matter as "CONFIDENTIAL" or "HIGHLY CONFIDENTIAL" under the Stipulated
27 Protective Order (Dkt. No. 306) in this case.

28

5. Defendants further seek permission to file under seal the following documents in their entirety:

(a) Exhibits 1 through 23 and 37 through 39 in the Declaration of Claire Yan in Support of Defendants' Joint Notice of Motion and Motion for Partial Summary Judgment Against Dell and Sharp Plaintiffs on Statute of Limitations Grounds and Memorandum of Points and Authorities in Support Thereof ("Yan Declaration");

(b) Exhibits 24 through 36 in the Yan Declaration;

(c) Exhibit D in the Declaration of Jessica Barclay-Strobel in Support of LG and Mitsubishi Electronic Subsidiaries' Notice of Motion and Motion for Summary Judgment and Memorandum of Points and Authorities in Support Thereof ("Barclay-Strobel Declaration");

(d) Exhibits 11, 13-16, 21, 25, 26, 29 and 30 in the Declaration of Laura K Lin In Support of Defendants' Joint Notice of Motion and Motion for Partial Summary Judgment Against Certain Direct Action Plaintiffs on Due Process Grounds ("Lin Declaration");

(e) A, B, 1-8, 10, 22-24, and 28 in the Lin Declaration.

6. The documents referenced in paragraph 5(a) were produced by Plaintiffs Sharp and Dell in this litigation and have been designated "CONFIDENTIAL" or "HIGHLY CONFIDENTIAL" by the Sharp and Dell Plaintiffs under the Stipulated Protective Order (Dkt. No. 306).

7. The documents referenced in paragraph 5(b) are excerpts of the transcripts of depositions of various Sharp and Dell witnesses. These excerpts were designated "HIGHLY CONFIDENTIAL" by the Sharp and Dell Plaintiffs pursuant to the Stipulated Protective Order (Dkt. No. 306).

8. The document referenced in paragraph 5(c) was designated by Direct Action Plaintiffs as "HIGHLY CONFIDENTIAL" under the Stipulated Protective Order (Dkt. No. 306).

9. The documents referenced in paragraph 5(d) are excerpts of the transcripts of depositions of various Plaintiff and Defendant witnesses represented by or affiliated with the Philips Defendants, the Panasonic Defendants, the Hitachi Defendants, Electrograph, Office Depot, and Best Buy. In addition, one of the documents referenced in paragraph 5(d) is an excerpt

1 of the transcripts of depositions of Plaintiffs' expert, Kenneth Elzinga. Collectively, these
2 excerpts were designated "HIGHLY CONFIDENTIAL" by the respective parties pursuant to the
3 Stipulated Protective Order (Dkt. No. 306).

4 10. The document referenced in paragraph 5(e) were designated by various Plaintiffs
5 and Defendants as "CONFIDENTIAL" or "HIGHLY CONFIDENTIAL" under the Stipulated
6 Protective Order (Dkt. No. 306). Specifically, some of these documents were designated by all
7 Plaintiffs as "CONFIDENTIAL" or "HIGHLY CONFIDENTIAL." Other documents were
8 designated by counsel for the Panasonic Defendants, the Thomson Defendants, the Hitachi
9 Defendants as "CONFIDENTIAL" or "HIGHLY CONFIDENTIAL."

10 11. LGE seeks to submit the above material under seal in good faith in order to comply
11 with the Stipulated Protective Order in this action and the applicable Local Rules. Because the
12 information LGE seeks to submit under seal has been designated as Confidential or Highly
13 Confidential by other parties, LGE is filing the accompanying Administrative Motion, and will be
14 prepared to file an unredacted versions of the above-referenced documents in the public record if
15 required by Civil Local Rule 79-5(e).

16 I declare under penalty of perjury under the laws of the United States that the foregoing is
17 true and correct.

18 Executed on November 7, 2014, in Los Angeles, California.

19
20 /s/ Claire Yan

21 CLAIRE YAN
22
23
24
25
26
27
28